



In re Application of

CARL F. BEYER, Ph.D.

Application No. 09/895,975
Filed: June 29, 2001

Art Unit 1624
Examiner Truong, Tamthom NGO

SUBSTITUTED TRIAZOLOPYRIMIDINES AS ANTICANCER AGENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A F F I D A V I T UNDER 37 C.F.R. SECTION 1.132

STATE OF NEW YORK)
COUNTY OF ROCKLAND)

Carl F. Beyer, residing at 32 Hambletonian Road, Chester, New York 10918
being duly sworn deposes and says:

THAT he is trained in Cellular and Molecular Pathology, Cell Biology and Immunology and Physical Biochemistry, having received the degree of Doctor of Philosophy in Physical Biochemistry from The Rockefeller University, New York, New York in 1974, and has done postdoctoral training at The Rockefeller University, New York between 1974 and 1977, and was a visiting fellow at the International Institute of Cellular and Molecular Pathology, Brussels, Belgium between 1978 and 1979 and was an Assistant Professor, The Rockefeller University between 1977 and 1985.

THAT he is currently employed as a Principal Research Scientist II by Wyeth Research, Pearl River, New York. He has been employed in the capacity of a Research Scientist at Wyeth (previously Lederle/American Cyanamid), since 1985. He has a total of more than 20 years of experience working in the field of oncology.

THAT he has read and is familiar with the above-identified application for United States Letters Patent and with the Office Action thereto, mailed February 23, 2007.

THAT in his laboratories at the aforesaid Wyeth Research, Pearl River, New York:

Representative compounds of the invention were tested under his direction in duplicate at 25 and 50 $\mu\text{g/ml}$ with COLO 205 human adenocarcinoma cells in the MTS cytotoxicity pharmacological test procedure.

Exhibit 1 expresses the results of this test in representative examples 231-269 as percentage of control proliferation. As shown in Exhibit 1, the percentage of control for each test compound was found to be less than 100 for at least one, and in most cases both, of those concentrations.

The above test results show that the compounds tested were strongly cytotoxic at those two concentrations.

I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

Further deponent sayeth not.

Carl F. Beyer
Carl F. Beyer

Sworn to and subscribed before me this 23 day of

May, 2007.

Janice A. White
NOTARY PUBLIC

JANICE A. WHITE
Notary Public - State of New York
No. 01-WH6052604
Qualified in Rockland County
My Commission Expires 12-26-2010



EXHIBIT 1

Ex No.	IC50 (μ g/ml)	n	% of Control At 25 ug/mL 50 ug/mL	
231			44.3	6.6
232			67.5	15.0
233			27.3	20.4
234			5.6	-4.5
235			80.6	14.7
236			28.4	10.9
237			24.1	-3.5
238			100.4	41.5
239			58.8	25.5
240			-0.9	-4.0
241			2.3	2.4
242			13.1	-4.8
243			12.7	-3.0
244			9.2	21.0
245			100.3	72.5
246			4.0	-4.8
247			63.6	46.4
248			15.5	-3.9
249			47.4	20.3
250			16.4	4.6
251			103.9	28.1
252			94.8	69.6
253			120.0	74.1
254			39.6	15.6
255			58.3	86.1
256			20.2	14.8
257			27.3	-3.5
258			74.6	44.1
259			32.6	0.7
260			87.8	53.5
261			7.4	-3.9
262			23.7	-5.1
263			-1.5	2.0
264			34.5	-4.2
265			8.1	-1.6
266			84.9	72.4
267			17.8	32.1
268			-0.8	4.2
269			3.5	11.9